

Image *RCE/1600*  
PTO/SB/30 (08-03)

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Request  
For  
Continued Examination (RCE)  
Transmittal

Address to:  
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Alexandria, VA 22313-1450

DEC 22 2003  
U.S. PATENT AND TRADEMARK OFFICE  
JC85

Application Number	09/103,745
Filing Date	06/24/1998
First Named Inventor	Sudhir Agrawal
Art Unit	1635
Examiner Name	James Schultz
Attorney Docket Number	47508.642 US2 HYZ-642US2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

ii.  Affidavit(s)/ Declaration(s)

iii.  Information Disclosure Statement (IDS)

iv.  Other \_\_\_\_\_

2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a.  Deposit Account No. 08-0219

i.  RCE fee required under 37 CFR 1.17(e) 12/23/2003 MGEBREM1 00000101 080219 09103745

ii.  Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA

iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT/ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	James T. Olesen, Ph.D.	Registration No. (Attorney/Agent)	46,967
Signature	<i>James T. Olesen</i>	Date	12/18/2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	<i>Lisa A. Calder</i>	Date	12/18/2003
Signature	<i>Lisa A. Calder</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 47508.642US2 HYZ-642US2)

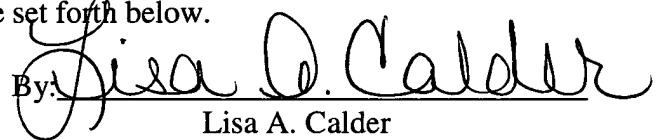
In re Application of: )  
AGRAWAL ) Group Art Unit: 1635  
)  
Serial No.: 09/103,745 ) Examiner: Schultz, James  
)  
Filed: June 24, 1998 )  
)  
)  
Title: *Method for Using Oligonucleotides Having*  
*Modified CpG Dinucleotides* )

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**CERTIFICATE OF MAILING UNDER 37 C.F.R §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Date: 12/18/03

By:   
Lisa A. Calder

\*\*\*\*\*

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**REQUEST FOR CONTINUED EXAMINATION AND PRELIMINARY AMENDMENT**  
**WITH RESPONSE NOT PREVIOUSLY CONSIDERED**

Sir:

Applicants respectfully request that the following previously submitted, but not entered, Amendment and previously submitted, but not considered, Response to the Final Rejection (dated July 15, 2003) be considered prior to the substantive examination of the accompanying Request for Continued Examination (RCE) filing under 37 CFR §1.114. This Amendment and Response accompanying the filing of an RCE has been made timely by the filing of a Petition for a Two Month Extension of time and payment of fee. The time for responding to this Action has

Appl. No. 09/103,745  
Amdt. Dated: December 18, 2003  
Reply to Advisory Action of December 12, 2003

Atty. Docket No. 47508.642 US2  
Client Ref. No. HYZ-642 US2

been extended to January 15, 2004, by the accompanying Petition for Extension of Time to File under 37 CFR 1.136(a). This submission presents a bona fide attempt to advance the application as required under 37 CFR §1.114(c). Please amend the application as provided below.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 4 of this paper.